

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

THE B & F SYSTEM, INC.,

Plaintiff,

v.

LLOYD J. LEBLANC JR., ET AL.,

Defendants.

Civil Action 7:07-CV-192 (HL)

**STATE FARM FIRE AND CASUALTY
COMPANY,**

Plaintiff,

v.

LLOYD J. LEBLANC, JR., ET AL.,

Defendants.

Civil Action 7:09-CV-76 (HL)

ORDER

The case of The B & F System, Inc. v. Lloyd J. LeBlanc Jr., et al., Civil Action No. 7:07-CV-192, is set for a pretrial conference in Macon, Georgia at 9:30 a.m. on December 21, 2011. One of the Court's requirements for its pretrial conferences is that each party must come to the pretrial conference with settlement authority, or must bring someone with settlement authority. The Court has been informed that counsel representing Defendants in Civil Action No. 7:07-CV-192 does not have any settlement authority, and any such authority is held by counsel for State Farm in the declaratory judgment action, Civil Action No. 7:09-CV-76. The Court recognizes that

State Farm has filed a motion for summary judgment in the declaratory judgment action, in which it contends that certain insurance policies do not provide insurance coverage for the claims set forth in Civil Action No. 7:07-CV-192. The summary judgment motion has not been fully briefed, and will not be ruled on by the time of the pretrial conference. The Court understands that the coverage issues raised in the summary judgment motion are factors State Farm will consider when deciding whether to settle the case(s), but also knows those issues are not the only factors State Farm will consider. As it has informed the parties on several occasions, the Court believes settling the underlying case is more prudent than going to trial in January, and therefore, the Court orders State Farm to send a representative with settlement authority to the pretrial conference scheduled for December 21, 2011.

SO ORDERED, this 7th day of November, 2011.

s/ Hugh Lawson
HUGH LAWSON, SENIOR JUDGE

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